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*Attorneys for Objector Reilly Stephens*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE JUUL LABS, INC., MARKETING, SALES  
PRACTICES, AND PRODUCTS LIABILITY  
LITIGATION

Case No. 3:19-md-02913-WHO

This Document Relates to:  
ALL CLASS ACTIONS

Judge: Hon. William H. Orrick III  
Courtroom: 2, 17th Floor  
Date: August 9, 2023  
Time: 2:00 P.M.

DECLARATION OF NEVILLE S. HEDLEY

1 I, Neville S. Hedley, declare as follows:

2 1. I have personal knowledge of the facts set forth herein and, if called as a witness, could  
3 and would testify competently thereto.

4 2. My business address is Hamilton Lincoln Law Institute (“HLLI”), 1629 K Street NW,  
5 Suite 300, Washington, DC 20006. My telephone number is (312) 342-6008. My email address is  
6 ned.hedley@hlli.org. I am admitted to the bars of the District of Columbia and the states of Illinois  
7 and California.

8 3. I am an attorney at the non-profit Hamilton Lincoln Law Institute (“HLLI”), which  
9 also includes the Center for Class Action Fairness (“CCAF”). I represent Reilly Stephens in objecting  
10 to the proposed fee request.

11 4. I intend to appear at the fairness hearing on August 9, 2023 at 2:00 p.m.

12 5. I wish to discuss matters raised in my client’s objection, in the responses to his  
13 objection, and to answer any questions the Court may have. At this time, Stephens does not intend to  
14 call any witnesses, but he reserves the right to make use of all documents entered on the docket by  
15 any settling party, objector, or amicus. He also reserves the right to cross-examine or depose any  
16 witnesses who testify in support of final approval or the fee request. His objection applies to the entire  
17 class.

### 18 **Fee-ing Frenzy**

19 6. One aspect of my client’s objection is that class counsel’s attorneys’ fees request cannot  
20 be justified by the litigation risk.

21 7. The low risk of this suit is confirmed by the parade of other plaintiffs who filed parallel  
22 overlapping complaints in numerous forums in an effort to win a piece of the inevitable settlement,  
23 by the parade of counsel who filed motions for appointment to leadership positions in this MDL, and  
24 by the parade of government investigations, reports, and lawsuits attending the claims in this case.

25 8. HLLI has created a litigation timeline detailing many relevant events related to and  
26 preceding this litigation. A true and correct copy of that document is attached as Exhibit 1.

27 9. HLLI has also created an overview of that timeline. A true and correct copy of that  
28

document is attached as Exhibit 2.

10. In October 2019, the JPML initially consolidated ten federal actions into this MDL. Dkt. 1 at 3.

11. During the counsel appointment process that occurred shortly after formation of the MDL, 47 attorneys from 41 firms sought appointment as either lead or co-lead counsel or committee members. HLLI has created a spreadsheet identifying those attorneys and requested appointments. A true and correct copy of that document is attached as Exhibit 3.

12. As of June 6, 2023, the JPML has transferred at least 364 additional actions into this MDL. Dkt. 4046.

13. According to Altria's 8-K filing of May 10, 2023, Altria has agreed to settle 6,000 JUUL-related cases, including approximately 50 economic class actions; approximately 4,500 personal injury actions, approximately 1,500 government entity actions; approximately 1,400 school district cases, and 750 cases in a related state court consolidated proceeding. A true and correct copy of this document is attached as Exhibit 4.

#### **Billing Records**

14. Another aspect of my client's objection is that the billing records and summaries provided by plaintiffs do not provide sufficient detail to permit appropriate scrutiny into the billing judgment of counsel and their resulting lodestar.

15. Exhibit 1 to the declaration of Dena C. Sharp provides the seven quarterly reports of the special master regarding counsel's lodestar submissions. Dkt. 4056-1.

16. HLLI has created a spreadsheet breaking down those reports into further specific detail. A true and court copy of that document is attached as Exhibit 5.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
2 and correct.

3 Executed on July 14, 2023, in Charlotte, North Carolina.

4  
5   
6 \_\_\_\_\_  
Neville S. Hedley

## **EXHIBIT 1**

## JUUL LITIGATION TIMELINE

### 2016

- **2016:** Surgeon General releases report on e-cigarette use among youth
  - U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, *E-Cigarette Use Among Youth and Young Adults: A Report of the Surgeon General—Executive Summary* (2016), available at [https://e-cigarettes.surgeongeneral.gov/documents/2016\\_SGR\\_Exec\\_Summ\\_508.pdf](https://e-cigarettes.surgeongeneral.gov/documents/2016_SGR_Exec_Summ_508.pdf) (last accessed Jul. 13, 2023).
  - Relevant quotes:
    - Summary: “We know a great deal about what works to effectively prevent tobacco use among young people. Now we must apply these strategies to e-cigarettes— and continue to apply them to other tobacco products. To achieve success, we must work together, aligning and coordinating efforts across a wide range of stakeholders, including individuals and families; public health professionals and clinicians; federal, state, local, tribal, and territorial governments; public health agencies; and researchers. We must protect our nation’s young people from a lifetime of nicotine addiction and associated problems by immediately addressing e-cigarettes as an urgent public health problem. Now is the time to take action.”
    - “E-cigarette use among youth and young adults has become a public health concern.”
    - “The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe.”
    - “Nicotine exposure during adolescence can cause addiction and can harm the developing adolescent brain.”
    - “E-cigarettes are marketed by promoting flavors and using a wide variety of media channels and approaches that have been used in the past for marketing conventional tobacco products to youth and young adults.”

- Recommends implementation of “FDA regulatory authority over the manufacturing, marketing, and distribution of e-cigarettes.”

## 2017

- **June 16, 2017:** CDC releases report on tobacco use among middle and high school students
  - Ahmed Jamal et al., *Tobacco Use Among Middle and High School Students — United States, 2011–2016*, CENTERS FOR DISEASE CONTROL AND PREVENTION (Jun. 16, 2017), <https://www.cdc.gov/mmwr/volumes/66/wr/mm6623a1.htm#suggestedcitation> (last accessed Jun. 2, 2023).
  - Relevant quotes:
    - Conclusion: “decreases in cigarette and cigar use during 2011–2016 were offset by increases in hookah and e-cigarette use, resulting in no significant change in any tobacco use. In 2016, e-cigarettes remained the most commonly used tobacco product among high (11.3%) and middle (4.3%) school students.”
- **July 27, 2017:** FDA announces comprehensive regulatory plan to shift trajectory of tobacco-related disease and death
  - *FDA announces comprehensive regulatory plan to shift trajectory of tobacco-related disease, death*, FOOD & DRUG ADMIN. (Jul. 27, 2017), <https://www.fda.gov/news-events/press-announcements/fda-announces-comprehensive-regulatory-plan-shift-trajectory-tobacco-related-disease-death> (last accessed Jun. 6, 2023).
  - Relevant quotes:
    - “In order to further explore how best to protect public health in the evolving tobacco marketplace, the agency also will seek input from the public on a variety of significant topics, including approaches to regulating kid-appealing flavors in e-cigarettes and cigars. In particular, the FDA intends to issue ANPRMs to: 1) seek public comment on the role that flavors (including menthol) in tobacco products play in attracting youth and may play in helping some

smokers switch to potentially less harmful forms of nicotine delivery; and 2) solicit additional comments and scientific data related to the patterns of use and resulting public health impacts from premium cigars, which were included in the FDA's 2016 rule. Additionally, the agency plans to examine actions to increase access and use of FDA-approved medicinal nicotine products, and work with sponsors to consider what steps can be taken under the safety and efficacy standard for products intended to help smokers quit."

- "The agency plans to issue this guidance describing a new enforcement policy shortly. ... Importantly, the anticipated new enforcement policy will [] affect ... only the newly-regulated tobacco products such as cigars and e-cigarettes."
- **July 28, 2017:** FDA Commissioner Dr. Scott Gottlieb gives remarks on new regulatory plan
  - Speech of FDA Commissioner Dr. Scott Gottlieb, *FDA Announces Regulatory Plan to Shift Trajectory of Tobacco-related Disease and Death* (Jul. 28, 2017), [https://www.youtube.com/watch?v=rn\\_p7iut1jU](https://www.youtube.com/watch?v=rn_p7iut1jU) (last accessed Jun. 2, 2023).
  - Relevant quotes:
    - "... too many children still experiment with tobacco products."
    - "We will redouble our efforts to protect kids from all nicotine-containing products."
    - "The key lies in taking a new and comprehensive approach to the regulation of nicotine," which "lives at the core of both the problem and ultimately the solution..."
- **November 16, 2017:** Boston Globe reports on widespread "Juuling" among high school students
  - Beth Teitell, *Juuling': The most widespread phenomenon you've never heard of*, Boston Globe (Nov. 16, 2017), <https://www.bostonglobe.com/metro/2017/11/15/where-teenagers-are->



[high-school-bathrooms-vaping/IJ6xYWWlOTKqsUGTtTw4UO/story.html](https://www.washingtonpost.com/local/high-school-bathrooms-vaping/IJ6xYWWlOTKqsUGTtTw4UO/story.html)  
(last accessed Jun. 2, 2023).

- Relevant quotes:
  - “In some high schools, the ‘Juuling in the bathroom’ problem has gotten so intense that administrators are sending home e-mails warning parents about the dangers of e-cigarettes in general — and, in particular, about a brand called Juul, which makes sleek devices that are easily concealed and often mistaken for thumb drives.”
  - “In Newton, an Oct. 31 e-mail to parents showed a cop-show-style evidence photo with a dire caption: ‘Here is a Juul device disguised as a Sharpie Pen.’ ... The letter warned that recent studies ‘suggest e-cigarettes are the latest gateway to harder drug use.’”
  - “[L]ong-term safety data on e-cigarettes do not yet exist.”
  - “[K]ids are managing to score what they need — one high schooler says Juul starter kits can be purchased on the resale market for around \$80. Students are Juuling in the boys and girls rooms, hallways, and even in class, where they take a hit and then swallow the vapor or exhale it into their hoodies when the teacher isn’t looking. One high schooler described why teens like it: ‘It gives you a head rush,’ he said. ‘The flavors are good. You can do tricks with it. You can ghost it’ — breathe the vapor out and then back in. ‘It looks cool.’”
  - “Wellesley High School catches about two kids a month vaping, most using Juuls, according to principal Jamie Chisum. ‘We have a lot of suspicions about students selling cartridges here too.’”
- **December 4, 2017:** NPR reports on teens’ widespread use of JUUL
  - Angus Chen, *Teenagers Embrace JUUL, Saying It’s Discreet Enough To Vape In Class*, NPR (Dec. 4, 2017), <https://www.npr.org/sections/health-shots/2017/12/04/568273801/teenagers-embrace-juul-saying-its-discreet-enough-to-vape-in-class> (last accessed Jun. 2, 2023).
  - Relevant quotes:

- “Devices like these might be introducing a new generation of teenagers to nicotine addiction and leading some vapers to take up smoking tobacco cigarettes, a study out in Pediatrics on Monday suggests. That would buck a national trend of teens drifting away from certain risky behaviors like drugs, alcohol and unprotected sex. ... The long term effects of vaping e-liquids — a solution of propylene glycol, vegetable glycerine [sic], flavors and nicotine or hash oils — are still not known[.] ... But researchers are skeptical that the vapor is harmless. ... [T]he most worrying aspect is nicotine, which is damaging to brain development, and is addictive. E-cigarettes can deliver a very high concentration of the drug, and experts worry that the popularity of vape pens is putting a new generation at risk of nicotine dependence.”
- **December 12, 2017:** Pittsburg Post-Gazette reports on high schoolers’ use of Juul
  - Julian Routh, *A mango-scented flash-drive-looking device lets kids smoke in class*, Pittsburg Post-Gazette (Dec. 12, 2017), <https://www.post-gazette.com/local/region/2017/12/12/JUUL-vaporizer-nicotine-flash-drive-small-concealable-e-cigarette/stories/201712120151> (last accessed Jun. 2, 2023).
  - Relevant quotes:
    - “For young people, vaping is still wildly popular. E-cigarettes, commonly used to re-create the feel and taste of cigarettes without consuming tobacco’s tars, are the most popular tobacco product among high schoolers. The most recent annual report by the federal Centers for Disease Control and Prevention on youth and tobacco found that 11.3 percent of high school students — more than 250,000 in total — used e-cigarettes in 2016.”

## 2018

- **2018:** National Academies of Sciences, Engineering, and Medicine releases report on the public health consequences of e-cigarettes

- NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE, *Public Health Consequences of E-Cigarettes* (2018), <https://doi.org/10.17226/24952> (last accessed Jun. 2, 2023).
- Relevant quotes:
  - “There is moderate evidence for increased cough and wheeze in adolescents who use e-cigarettes and an association with e-cigarette use and an increase in asthma exacerbations.”
  - “The observation that past e-cigarette use was associated with an increase in chronic bronchitic symptoms in adolescents and an increase in school absenteeism from asthma symptoms in current e-cigarette users is potentially concerning since a more rapid decline in lung function in later life has been linked to asthma and chronic bronchitis in early life...”
  - “Given the sizable population of adolescents and young adults who initiate e-cigarette use without previously having been a regular user of combustible tobacco cigarettes, it is important to understand the health effects of e-cigarette use, per se, in this population. Apart from any inherent direct effects from exposure to e-cigarette aerosols, the use of e-cigarettes among adolescent and young adult never smokers may affect health by changing combustible tobacco use behavior.”
- **January 1, 2018:** American Academy of Pediatrics releases article on e-cigarette use among youth
  - Krysten W. Bold et al., *Trajectories of E-Cigarette and Conventional Cigarette Use Among Youth*, PEDIATRICS (Jan. 1, 2018), <https://publications.aap.org/pediatrics/article-abstract/141/1/e20171832/37666/Trajectories-of-E-Cigarette-and-Conventional?redirectedFrom=PDF> (last accessed Jul. 13, 2023).
  - Relevant quotes:
    - “E-cigarette use was associated with future cigarette use across 3 longitudinal waves, yet cigarette use was not associated with future e-cigarette use. Future research needs to examine mechanisms through

which e-cigarette use leads to cigarette use. E-cigarette regulation and prevention programs may help prevent future use of cigarettes among youth.”

- **January 31, 2018:** ABC7 investigates Juul use among high school students
  - Kimberly Suiters, *Are your kids JUULing at school? 7 On Your Side investigates*, ABC7 (Jan. 31, 2018), <https://wjla.com/features/i-team/are-your-kids-juuling-at-school-7-on-your-side-investigates> (last accessed Jun. 2, 2023).
  - Relevant quotes:
    - “There are several kinds of vapes that look like the JUUL, but this brand alone accounts for half of the e-cigarette market. In 2016, the company saw a 700 percent increase in sales, more than \$322 million. ... [T]eens now use it as a verb.”
- **March 17, 2018:** Health groups sue FDA to expedite review of e-cigarettes
  - *Health Groups File Suit to Expedite FDA Review of E-Cigarettes, Cigars*, Campaign for Tobacco-Free Kids (Mar. 17, 2018), [https://www.tobaccofreekids.org/press-releases/2018\\_03\\_27\\_fdalawsuit](https://www.tobaccofreekids.org/press-releases/2018_03_27_fdalawsuit) (last accessed Jun. 2, 2023).
  - Relevant quotes:
    - “Seven public health and medical groups, and several individual pediatricians, filed suit today in federal court in Maryland challenging a U.S. Food and Drug Administration (FDA) decision that allows electronic cigarettes and cigars – including candy-flavored products that appeal to kids – to stay on the market for years without being reviewed by the agency.”
- **April 4, 2018:** Wall Street Journal reports on Juul e-cigarette epidemic
  - Annie Marie Chaker, *Schools and Parents Fight a Juul E-Cigarette Epidemic*, Wall Street Journal (Apr. 4, 2018), <https://www.wsj.com/articles/schools-parents-fight-a-juul-e-cigarette-epidemic-1522677246> (last accessed Jun. 2, 2023).
  - Relevant quotes:

- “One big concern, addiction researchers say, is that Juul lacks many characteristics that deter people from smoking in the first place, such as a harsh smell and burnt-tobacco taste.”
- “New York City’s private Grace Church School has ordered specialized sensors for its high school bathrooms, specifically for detecting vaping such as Juul use. If the sensors detect vapor, administrators get an email or a text message with a time stamp. A hallway camera can provide further information on who entered or exited around that time, says spokesman Topher Nichols.”
- “A secondary market for Juul has emerged among younger teens.”
- “In the last few years, vaping with e-cigarettes has taken off. In 2017, 18.5% of 8th graders said they had ever vaped, up from 17.5% the previous year. That compared with 9.4% who had ever smoked cigarettes, down from 9.8% the previous year, according to researchers at the University of Michigan-Ann Arbor.”
- **April 23, 2018:** FDA Commissioner Scott Gottlieb issues statement previewing new e-cigarette enforcement steps
  - *Statement from FDA Commissioner Scott Gottlieb, M.D., on new enforcement actions and a Youth Tobacco Prevention Plan to stop youth use of, and access to, JUUL and other e-cigarettes*, Food & Drug Admin. (Apr. 23, 2018), <https://www.fda.gov/news-events/press-announcements/statement-fda-commissioner-scott-gottlieb-md-new-enforcement-actions-and-youth-tobacco-prevention> (last accessed Jun. 6, 2023).
  - Relevant quotes:
    - JUUL products are “more difficult for parents and teachers to recognize or detect,” and “[i]n some cases, our kids are trying ... and liking them without even knowing they contain nicotine. And that’s a problem, because as we know the nicotine in these products can rewire an adolescent’s brain, leading to years of addiction. For this reason, the FDA must – and will – move quickly to reverse these disturbing trends, and, in particular, address the surging youth uptake of JUUL and other products.”

- Five-pronged new enforcement/regulatory steps:
  - “**First**, we’re announcing that the FDA has been conducting a large-scale, undercover nationwide blitz to crack down on the sale of e-cigarettes – specifically JUUL products – to minors at both brick-and-mortar and online retailers.”
  - “**Second**, as part of this effort, we also recently contacted eBay to raise concerns over several listings for JUUL products on its website.”
  - “**Third**, we’re also taking additional steps to contact the manufacturers directly, and hold them accountable. We need to examine all the available information to understand why kids are finding these products so appealing – and address it. That’s why today, the FDA also sent an official request for information directly to JUUL labs, requiring the company to submit important documents to better understand the reportedly high rates of youth use and the particular youth appeal of these products. The information we’re requesting includes: documents related to product marketing; research on the health, toxicological, behavioral or physiologic effects of the products, including youth initiation and use; whether certain product design features, ingredients or specifications appeal to different age groups; and youth-related adverse events and consumer complaints associated with the products.”
  - “**Fourth**, we are planning additional enforcement actions focused on companies that we think are marketing products in ways that are misleading to kids.”
  - “**Finally**, as we pursue additional steps to keep kids from using tobacco products, we’re also continuing to invest in our compelling, science-based campaigns to educate youth about the dangers of all tobacco products including e-cigarettes.”
- **April 24, 2018:** FDA issues warning letter against JUUL

- *FDA Letter to JUUL Labs, Inc.*, Food & Drug Admin. (Apr. 24, 2018), [https://www.fda.gov/files/tobacco%20products/published/CTP---JUUL-904\(b\).pdf](https://www.fda.gov/files/tobacco%20products/published/CTP---JUUL-904(b).pdf) (last accessed Ju1. 13, 2023).
- Relevant quotes:
  - “Under Section 904(b) of the Federal Food, Drug, and Cosmetic Act (FD&C Act), FDA is requesting that JUUL Labs, Inc. (JUUL) submit documents relating to marketing practices and research on marketing, effects of product design, public health impact, and adverse experiences and complaints related to JUUL products. ... FDA is requesting these documents based on growing concern about the popularity of JUUL products among youth.”
  - Requests that JUUL “submit all documents (including underlying scientific and financial information, as specified below) relating to marketing practices and research activities and research findings, conducted, supported, or possessed by you or your agents,” particularly as it relates to the following: product marketing, design, public health impacts on youth, and adverse experiences and complaints involving youth
  - Threatens “regulatory and enforcement action by FDA” in the event of noncompliance by JUUL
- **April 24, 2018:** Wall Street Journal reports on Juul-FDA probe
  - Saabira Chaudhuri & Anne Marie Chaker, *Juul E-Cigarettes Face FDA Probe*, Wall Street Journal (Apr. 24, 2018), <https://www.wsj.com/articles/fda-seeks-documents-from-maker-of-juul-e-cigarettes-popular-with-teens-1524591640> (last accessed Jun. 2, 2023).
    - Relevant quotes:
      - “The Food and Drug Administration on Tuesday said it is moving against the sale of e-cigarettes to minors by targeting Juul Labs Inc., the maker of one of the most popular such products in the U.S. The FDA said it has requested information from the San Francisco startup that could help

explain why its products appeal to youngsters. It is seeking documents on its marketing, as well as on its research on health effects, and whether design features and ingredients appeal to specific age groups. ... FDA Commissioner Scott Gottlieb said e-cigarettes “have become wildly popular with kids.” Their resemblance to flash drives, high levels of nicotine and nearly invisible emissions could be making the products more attractive to children and teenagers, he added. In addition to Juul, the agency mentioned e-cigarette brands myblu and KandyPens, saying they have similar characteristics that could facilitate youth use. ... Medical and advocacy groups, including the American Academy of Pediatrics and the Campaign for Tobacco-Free Kids, last month sued the FDA, challenging its decision last summer to extend certain deadlines for e-cigarette makers...”

- **April 26, 2018:** Plaintiffs file Colgate complaint
- **May 16, 2018:** LAW360 reporter rings alarm bells over JUUL liability
  - Jonathan Viner, *No Smoke But Alarms Are Ringing: Insurance For E-Cigarettes*, LAW360 (May 16, 2018), <https://www-law360-com.gwlaw.idm.oclc.org/articles/1044304/no-smoke-but-alarms-are-ringing-insurance-for-e-cigarettes> (last accessed Jun. 5, 2023).
  - Relevant quotes:
    - “Currently, litigation over e-cigarettes has been limited to claims arising out of malfunctioning devices that injure users or damage property. These claims typically do not involve complicated issues involving liability insurance coverage. In contrast, it seems likely that injury claims that result from widespread use of e-cigarettes that function exactly as intended will involve numerous interesting and contested insurance coverage issues. ... There is concern that e-cigarettes could prove to have significant and diverse long-term health impacts. Beyond addiction, nicotine is associated with elevated heart rates, trouble breathing, lung damage, acid reflux, increased



insulin resistance, damage to reproductive organs and fetal injury. Scientists are studying the risks potentially posed by the chemical residues from exhaled e-cigarette aerosol. The many and varied flavorings, which reduce the bitter taste and serve as a marketing tool, contain varying chemical components. These chemicals can include, among others, cytotoxic compounds, benzaldehyde and diacetyl, also used as a butter-flavoring for microwave popcorn that is associated with ‘popcorn lung.’ Other byproducts in the aerosols, including the various solvents, metals and other potential carcinogens noted above, pose potential health risks, including DNA damage. The e-cigarette industry has been accused of engaging in advertising strategies like those used to promote tobacco cigarettes, supposedly targeting young users.”

- **July 24, 2018:** Massachusetts launches investigation into JUUL
  - *AG Healey Announces Investigation into JUUL, Other Online E-Cigarette Retailers Over Marketing and Sale to Minors*, MASSACHUSETTS ATTORNEY GENERAL (Jul. 24, 2018), <https://www.mass.gov/news/ag-healey-announces-investigation-into-juul-other-online-e-cigarette-retailers-over-marketing-and-sale-to-minors> (last accessed Jun. 5, 2023).
- **October 3, 2018:** Time reports on FDA’s “blitz” against JUUL
  - James Ducharme, *Why Juul Is At the Center of the FDA’s E-Cigarette Investigation*, TIME (Oct. 3, 2018), <https://time.com/5413690/fda-juul-investigation/> (last accessed Jun. 2, 2023).
  - Relevant quotes:
    - “The Food and Drug Administration (FDA) continued its blitz on e-cigarette use by surprising top manufacturer Juul Labs with an inspection of its San Francisco headquarters last week, resulting in the seizure of ‘thousands of pages of documents,’ the agency said. The investigation, which was aimed at learning more about Juul’s sales and marketing practices, was the latest in a string of moves by the FDA to further understand and regulate e-cigarette use — a

campaign that has been seemingly centered on Juul. In April, the agency requested marketing documents from Juul and several other manufacturers, in an effort to better understand the youth appeal of these products. Then, in September, it gave Juul and four other companies 60 days to construct plans for curtailing the ‘epidemic’ of youth use; failure to do so, the agency said, could result in some or all flavored products — which seem to be especially appealing to kids — being pulled from store shelves. ... [A]bout 20% of U.S. high schoolers, or some 3 million teenagers, vape.”

- **October 15, 2018:** North Carolina launches investigation into JUUL
  - *Attorney General Josh Stein Announces Investigation into E-Cigarette Maker Juul*, NORTH CAROLINA ATTORNEY GENERAL (Oct 15, 2018), <https://ncdoj.gov/attorney-general-josh-stein-announces-investigatio-d1/> (last accessed Jun. 5, 2023)
  - Relevant quotes:
    - “Attorney General Josh Stein today announced that he has launched an investigation into Juul, the e-cigarette company. He sent the company a civil investigative demand to ask for more information about Juul’s marketing practices, retailers, contact with resellers, efforts to verify age before purchase, and any youth education and awareness programs. He also asks for information about the number of North Carolinians using Juul.”
- **November 16, 2018:** Forbes reports on the “disturbing focus” of JUUL marketing
  - Kathleen Chaykowski, *The Disturbing Focus Of Juul's Early Marketing Campaigns*, FORBES (Nov. 16, 2018), <https://www.forbes.com/sites/kathleenchaykowski/2018/11/16/the-disturbing-focus-of-juuls-early-marketing-campaigns/?sh=27def78b14f9> (last accessed Jun. 2, 2023).
  - Relevant quotes:

- “What medical experts are calling a Juul-driven ‘youth nicotine epidemic’ is gaining heightened attention from regulators like the Food and Drug Administration...”
- “Juul ads are filled with attractive young models socializing and flirtatiously sharing the flash-drive shaped device, displaying behavior like dancing to club-like music and clothing styles more characteristic of teens than mature adults. Often, early marketing contains little to no reference to Juul being an option for switching from cigarettes. Juul’s launch events and parties also often featured youth-oriented bands and free tastings ... promoted alongside ads that made pods seem like ‘sweet treats’ and made ‘juuling’ (the device is so popular it’s now a verb) seem like casual fun.”

## 2019

- **May 15, 2019:** North Carolina sues JUUL
  - *Attorney General Josh Stein Takes E-Cigarette Maker JUUL to Court*, NORTH CAROLINA ATTORNEY GENERAL (May 15, 2019), <https://ncdoj.gov/attorney-general-josh-stein-takes-e-cigarette-make/> (last accessed Jun. 5, 2023).
- **August 30, 2019:** AP reports that JUUL faces scrutiny from state and federal officials
  - Richard Lardner & Matthew Perrone, *Juul Labs facing scrutiny from federal and state officials*, ASSOCIATED PRESS (Aug. 30, 2019), <https://apnews.com/article/district-of-columbia-health-ap-top-news-marijuana-public-health-67e5354718164ef292350615f724fb39> (last accessed Jun. 2, 2023).
  - Relevant quotes:
    - “With e-cigarette giant Juul Labs facing a mounting number of state and federal investigations into its marketing and sales practices, a top Trump administration official pledged Friday to use all of the government’s regulatory and enforcement power ‘to stop the epidemic of youth e-cigarette use.’ ... The Associated Press has

learned that the attorneys general in Illinois and the District of Columbia are examining how Juul's blockbuster vaping device became so popular with underage teens. The company's rapid rise to the top of the multi-billion dollar U.S. e-cigarette market has been accompanied by accusations from parents, politicians and public health advocates that Juul fueled a vaping craze among high schoolers. In addition to the ongoing inquiries in Illinois and the district, which had not been publicly disclosed before, four other state attorneys general are probing or suing Juul. ... Health and Human Services Secretary Alex Azar said in a statement Friday the Trump administration 'will continue using every regulatory and enforcement power we have to stop the epidemic of youth e-cigarette use.'"

- **September 9, 2019:** FDA issues warning letter against JUUL
  - *FDA Warning Letter to JUUL Labs, Inc.*, MARCS-CMS 590950, FOOD & DRUG ADMIN. (Sep. 9, 2019), <https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/juul-labs-inc-590950-09092019> (last accessed Jul. 13, 2023)
  - Relevant quotes:
    - "...your firm has engaged in labeling, advertising, and/or other activities directed to consumers, in which JUUL explicitly and/or implicitly has represented that JUUL products are free of a substance, have a reduced level of or exposure to a substance, and/or that JUUL products present a lower risk of tobacco-related disease or are less harmful than one or more other commercially marketed tobacco products. ... The violations discussed in this letter do not necessarily constitute an exhaustive list.")
- **September 23, 2019:** Wall Street Journal reports that federal prosecutors are conducting criminal probe of JUUL
  - Jennifer Maloney, *Federal Prosecutors Conducting Criminal Probe of Juul*, WALL STREET JOURNAL (Sep. 23, 2019), <https://www.wsj.com/articles/federal->

[prosecutors-conducting-criminal-probe-of-juul-11569268759?mod=e2tw](https://www.sacramento.com/story/news/crime/2019/09/26/prosecutors-conducting-criminal-probe-of-juul-11569268759?mod=e2tw)  
(last accessed Jun. 5, 2023)

- Relevant quotes:
  - “The investigation by the U.S. attorney’s office of the Northern District of California is in its early stages, the people said. The focus of the probe couldn’t be learned.”
- **September 26, 2019:** KQED reports that San Joaquin DA is investigating JUUL
  - Laura Klivans, *San Joaquin County DA Investigating JUUL Labs for Allegedly Marketing to Teens*, KQED (Sep. 26, 2019), <https://www.kqed.org/news/11776781/san-joaquin-county-da-investigating-juul-labs-for-allegedly-marketing-to-teens> (last accessed Jun. 5, 2023).
- **October 1, 2019:** India bans e-cigarettes in part due to pending introduction of JUUL products into market
  - Kaldra & Subrata Nagchoudhury, *India defends e-cigarette ban in court with attack on Juul*, Reuters (Oct. 1, 2019), <https://www.reuters.com/article/us-india-cigarettes-idUSKBN1WG4KJ> (last accessed Jun. 6, 2023) (“The impending introduction of Juul e-cigarettes in India was a factor in the government’s decision to ban the sale of vaping products, a top government lawyer said in court on Tuesday while defending the order.”).
- **November 18, 2019:** California sues JUUL
  - *Attorney General Becerra and Los Angeles Leaders Announce Lawsuit Against JUUL for Deceptive Marketing Practices Targeting Underage Californians and Endangering Users of Its Vaping Products*, CALIFORNIA ATTORNEY GENERAL (Nov. 18, 2019), <https://oag.ca.gov/news/press-releases/attorney-general-becerra-and-los-angeles-leaders-announce-lawsuit-against-juul> (last accessed Jun. 5, 2023).
- **November 19, 2019:** New York sues JUUL
  - *Attorney General James Sues JUUL Labs*, NEW YORK STATE ATTORNEY GENERAL (Nov. 19, 2019), <https://ag.ny.gov/press-release/2019/attorney-general-james-sues-juul-labs#:~> (last accessed Jun. 5, 2023).

- **November 26, 2019:** DC sues JUUL
  - *AG Racine Sues JUUL For Creating a Teen Public Health Crisis and Deceiving District Residents About E-Cigarettes*, OFFICE OF THE ATTORNEY GENERAL FOR THE DISTRICT OF COLUMBIA (Nov. 26, 2019), <https://oag.dc.gov/release/ag-racine-sues-juul-creating-teen-public-health> (last accessed Jun. 5, 2023).
- **December 4, 2019:** Minnesota sues JUUL
  - *State of Minnesota v. JUUL Labs, Inc.* (2019), PUBLIC HEALTH LAW CENTER, <https://www.publichealthlawcenter.org/litigation-tracker/state-minnesota-v-juul-labs-inc-2019> (last accessed Jul. 13, 2023).
- **December 12, 2019:** Illinois sues JUUL
  - *Attorney General Raul Files Lawsuit Against JUUL Labs*, Illinois Attorney General (Dec. 12, 2019), <https://illinoisattorneygeneral.gov/News-Room/2019-Press-Release-Archive/201912-12%20FILES%20LAWSUIT%20AGAINST%20JUUL%20LABS.pdf> (last accessed Jun. 5, 2023).

## 2020

- **January 7, 2020:** Arizona sues JUUL
  - *Arizona Attorney General Brnovich Sues Juul Labs, Inc.*, ARIZONA ATTORNEY GENERAL (Jan. 7, 2020), <https://www.azag.gov/press-release/attorney-general-brnovich-sues-juul-labs-inc> (last accessed Jun. 2, 2023).
- **February 10, 2020:** Pennsylvania sues JUUL
  - *AG Shapiro Sues JUUL for Targeting PA Youth, Deceiving Consumers about Safety of E-Cigarettes*, PENNSYLVANIA ATTORNEY GENERAL (Feb. 10, 2020), <https://www.attorneygeneral.gov/taking-action/ag-shapiro-sues-juul-for-targeting-pa-youth-deceiving-consumers-about-safety-of-e-cigarettes/> (last accessed Jun. 2, 2023).
- **February 12, 2020:** Massachusetts sues JUUL
  - *Attorney General's Office Lawsuit Against JUUL*, MASSACHUSETTS ATTORNEY GENERAL (Feb. 12, 2020), <https://www.mass.gov/lists/attorney-generals-office-lawsuit-against-juul> (last accessed Jun. 5, 2023).

- **February 24, 2020:** Bipartisan multistate investigation into JUUL is launched, led by Connecticut, Texas, and Oregon
  - *Connecticut, Florida, Nevada, Oregon, Texas Announce Bipartisan Multistate Investigation Into JUUL*, OFFICE OF THE ATTORNEY GENERAL OF CONNECTICUT (Feb. 24, 2020), <https://portal.ct.gov/AG/Press-Releases/2020-Press-Releases/Connecticut-Announces-Bipartisan-Multistate-Investigation-Into-JUUL> (last accessed Jun. 5, 2023)
  - *AG Pax-ton Announces Bipar-ti-san, Mul-ti-state Inves-ti-ga-tion into JUUL's Mar-ket-ing Practices*, ATTORNEY GENERAL OF TEXAS (Feb. 25, 2020), <https://www.texasattorneygeneral.gov/news/releases/ag-paxton-announces-bipartisan-multistate-investigation-juuls-marketing-practices> (last accessed Jun. 5, 2023)
  - Dave Collins & Matthew Perrone, *'A world of hurt': 39 states to investigate Juul's marketing*, ASSOCIATED PRESS (Feb. 25, 2020), <https://apnews.com/article/tn-state-wire-william-tong-lawsuits-tobacco-industry-regulation-mi-state-wire-bc0ebafd2c6604e2ac26c6ee219c35b4> (last accessed Jun. 5, 2023).
- **May 1, 2020:** JUUL decides to stop selling products in five European countries
  - Stephanie M. Lee, *Juul Will Stop Selling In Five European Countries, Including France And Spain*, BuzzFeed News (May 1, 2020), <https://www.buzzfeednews.com/article/stephaniemlee/juul-europe-leaving-france-spain> (last accessed Jun. 6, 2023)
  - Relevant quotes:
    - “Spain and France had relatively high sales compared to most European markets, but not high enough to justify the staff needed or the trouble from local regulators. Austria, Belgium, and Portugal were considered too small to continue investing in. ... Juul has also hit the brakes on expanding into markets outside of Europe over the last several months, postponing a launch in New Zealand and stopping sales in Indonesia. The company has also considered leaving South Korea and was blocked from China and India.”).

- **May 8, 2020:** New Mexico sues JUUL
  - *Attorney General Balderas Files Lawsuit Against JUUL Labs for Illegal Marketing and Selling of E-Cigarettes to New Mexican Youth*, NEW MEXICO ATTORNEY GENERAL (May 8, 2020), <https://www.nmag.gov/attorney-general-balderas-files-lawsuit-against-juul-labs-for-illegal-marketing-and-selling-of-e-cigarettes-to-new-mexican-youth/> (last accessed Jun. 5, 2023).
- **July 7, 2020:** Colorado sues JUUL
  - *State of Colorado sues JUUL for targeting youth in marketing campaign, misrepresenting product's health risks*, COLORADO ATTORNEY GENERAL (Jul. 7, 2020), <https://coag.gov/press-releases/7-7-20/> (last accessed Jun. 5, 2023).
- **September 2, 2020:** Washington sues JUUL
  - *AG Ferguson files lawsuit against JUUL for targeting underage consumers in its advertising, product design*, WASHINGTON STATE OFFICE OF ATTORNEY GENERAL (Sept. 2., 2020), <https://www.atg.wa.gov/news/news-releases/ag-ferguson-files-lawsuit-against-juul-targeting-underage-consumers-its> (last accessed Jun. 5, 2023)
- **December 10, 2020:** Minnesota adds Altria as co-defendant in suit against JUUL
  - *State adds tobacco giant Altria as defendant in JUUL lawsuit for deceptive marketing targeting youth*, OFFICE OF MINNESOTA ATTORNEY GENERAL (Dec. 10, 2020), [https://www.ag.state.mn.us/Office/Communications/2020/12/10\\_JUUL.asp](https://www.ag.state.mn.us/Office/Communications/2020/12/10_JUUL.asp) (last accessed Jun. 5, 2023).

## 2021

- **June 28, 2021:** JUUL settles with North Carolina for \$40 million
  - *Attorney General Stein Reaches Agreement with JUUL for \$40 Million and Drastic Business Changes*, North Carolina Attorney General (Jun. 28, 2021), <https://ncdoj.gov/attorney-general-stein-reaches-agreement-with-juul-for-40-million-and-drastic-business-changes/#:~> (last accessed Jul. 13, 2023).
- **September 20, 2021:** JUUL agrees to settle with Arizona
  - *Attorney General Mark Brnovich Reaches \$14.5 Million Settlement with JUUL*, ARIZONA ATTORNEY GENERAL (Nov. 23, 2021),



<https://www.azag.gov/press-release/attorney-general-mark-brnovich-reaches-145-million-settlement-juul#:~> (last accessed Jun. 5, 2023)

- **November 16, 2021:** North Carolina sues JUUL's founders
  - *Attorney General Josh Stein Announces Lawsuit and Statewide Investigation on E-Cigarettes*, NORTH CAROLINA ATTORNEY GENERAL (Nov. 16, 2021), <https://ncdoj.gov/attorney-general-josh-stein-announces-lawsuit-and-statewide-investigation-on-e-cigarettes/> (last accessed Jun. 2, 2023) (announcing additional investigations and a new lawsuit against JUUL's founders).
- **November 23, 2021:** JUUL settles with Arizona for \$14.5 million
  - *Attorney General Mark Brnovich Reaches \$14.5 Million Settlement with JUUL*, ARIZONA ATTORNEY GENERAL (Nov. 23, 2021), <https://www.azag.gov/press-release/attorney-general-mark-brnovich-reaches-145-million-settlement-juul#:~> (last accessed Jun. 5, 2023)

## 2022

- **April 12, 2022:** JUUL's \$22.5 million settlement with Washington is approved
  - *AG Ferguson: JUUL must pay Washington \$22.5 million over its unlawful advertising practices*, WASHINGTON STATE OFFICE OF ATTORNEY GENERAL (Apr. 12, 2022), <https://www.atg.wa.gov/news/news-releases/ag-ferguson-juul-must-pay-washington-225-million-over-its-unlawful-advertising> (last acceded Jun. 2, 2023).
- **September 6, 2022:** JUUL settles with 34 states/territories (AL, AK, CT, DE, GA, HI, ID, IN, KS, KY, MD, ME, MS, MT, ND, NE, NH, NJ, NV, OH, OK, OR, PR, RI, SC, TN, TX, UT, VA, VT, WI, and WY) for a total of \$438.5 million
  - *Utah, 34 States Reach \$438.5 Million Agreement with JUUL Labs*, Utah OFFICE OF THE ATTORNEY GENERAL (Sep. 6, 2022), <https://www.attorneygeneral.utah.gov/utah-34-states-reach-438-5-million-agreement-with-juul-labs/> (last accessed Jun. 5, 2023)
  - *Attorney General O'Connor, 34 States Reach \$438.5 Million Agreement with JUUL Labs*, OFFICE OF THE OKLAHOMA ATTORNEY GENERAL, [Attorney General](#)

O'Connor, 34 States Reach \$438.5 Million Agreement with JUUL Labs (last accessed Jun. 5, 2023)

- *Carr and AG Colleagues Reach \$438.5 Million Agreement with JUUL Labs*, OFFICE OF THE GEORGIA ATTORNEY GENERAL (Sep. 6, 2022), <https://law.georgia.gov/press-releases/2022-09-06/carr-and-ag-colleagues-reach-4385-million-agreement-juul-labs> (last accessed Jun. 5, 2023).
- **December 9, 2022:** JUUL agrees to pay \$1.2 billion to settle personal injury and school district vaping MDL in N.D. Cal.
  - Jef Feely & Malathi Nayak, *Juul Agrees to Pay \$1.2 Billion in Youth-Vaping Settlement*, BLOOMBERG (Dec. 9, 2022), <https://www.bloomberg.com/news/articles/2022-12-09/juul-to-pay-1-2-billion-in-youth-vaping-settlement> (last accessed Jun. 5, 2023).
  - Relevant quotes:
    - “The \$1.2 billion deal comes as states are finalizing a separate \$439 million settlement over the e-cigarette manufacturer’s marketing and sales practices, especially those targeting children. Juul agreed in September to accept strict limits on its marketing campaigns as part of the accord.”
- **December 12, 2022:** JUUL settles with Pennsylvania for \$38 million
  - *AG Shapiro Announces \$38 million Settlement with JUUL for Targeting PA Youth, Deceiving Consumers about E-Cig Safety*, Pennsylvania Attorney General (Dec. 12, 2022), <https://www.attorneygeneral.gov/taking-action/ag-shapiro-announces-38-million-settlement-with-juul-for-targeting-pa-youth-deceiving-consumers-about-e-cig-safety/> (last accessed Jun. 2, 2023).

## 2023

- **January 20, 2023:** JUUL’s \$1.2 billion personal injury and school district vaping settlement is preliminarily approved in N.D. Cal.
  - Jef Feely, *Juul Settlement to End Youth-Vaping Lawsuits Gets Initial Approval*, BLOOMBERG (Jan. 20, 2023), <https://www.bloomberg.com/news/articles/2023-01-20/juul-wins-preliminary-approval-for-state-city-vaping-accord> (last accessed Jun. 5, 2023)

- Relevant quotes:
  - “The proposed settlement comes as the embattled e-cigarette maker likely staved off bankruptcy late last year with a cash infusion from long-time investors and by laying off hundreds of workers to cut costs. That new funding was needed as sales of its products fell more than 20% last year.”
- **March 10, 2023:** JUUL settles with Chicago for \$23.8 million
  - *City of Chicago Reaches \$23.8M Settlement Agreement with E-Cigarette Maker Juul Labs for Marketing and Selling Products to Underaged Youth*, OFFICE OF THE MAYOR (Mar. 10, 2023), [https://www.chicago.gov/city/en/depts/mayor/press\\_room/press\\_releases/2023/march/CityofChicagoReachesSettlementJuul.html](https://www.chicago.gov/city/en/depts/mayor/press_room/press_releases/2023/march/CityofChicagoReachesSettlementJuul.html) (last accessed Jun. 5, 2023).
- **April 10, 2023:** JUUL settles with West Virginia for \$7.9 million
  - *Statement by Juul Labs on Settlement with West Virginia Attorney General*, Juul Labs (Apr. 10, 2023), <https://www.juullabs.com/statement-by-juul-labs-on-settlement-with-west-virginia-attorney-general/> (last accessed Jun. 5, 2023).
- **April 11, 2023:** JUUL settles with New York, California, Massachusetts, Illinois, Colorado, and DC for a total of \$462 million
  - *Attorney General Consumer Protection News: April 2023*, NAT. ASS’N OF ATTORNEYS GENERAL (Apr. 2023), <https://www.naag.org/attorney-general-journal/attorney-general-consumer-protection-news-april-2023/> (last accessed Jun. 5, 2023)
  - Relevant quotes:
    - “Seven attorneys general announced a \$462 million multistate settlement agreement with electronic cigarette maker, JUUL, Labs, Inc. (JUUL). In 2019 and 2020, JUUL the states sued JUUL for violating multiple state laws, including false advertising, unfair competition, and the privacy rights of minors. Under the settlement, monies received will be used to support 1) programs to educate teens about the harms of vaping, and to help them quit its use; 2)

enforcement work conducted to implement the ban on flavored nicotine products; and 3) research into the health effects of the use of e-cigarettes by teens.”

- For the CA settlement, see *Attorney General Bonta Announces \$462 Million Multistate Settlement with E-Cigarette Maker JUUL*, CALIFORNIA ATTORNEY GENERAL (Apr. 11, 2023), <https://oag.ca.gov/news/press-releases/attorney-general-bonta-announces-462-million-multistate-settlement-e-cigarette> (last accessed Jun. 5, 2023) (\$175 million).
- For the NY settlement, see *Attorney General James Secures \$462 Million from JUUL for Its Role in the Youth Vaping Epidemic*, NEW YORK STATE ATTORNEY GENERAL (Apr. 12, 2023), <https://ag.ny.gov/press-release/2023/attorney-general-james-secures-462-million-juul-its-role-youth-vaping-epidemic> (last accessed Jun. 5, 2023) (\$112.7 million).
- For the DC settlement, see *AG Schwalb Secures \$15.2 Million from JUUL for Preying on District Children and Lying to Consumers about its Dangerous E-Cigarette Products*, OFFICE OF THE ATTORNEY GENERAL FOR THE DISTRICT OF COLUMBIA (Apr. 12, 2023), <https://oag.dc.gov/release/ag-schwalb-secures-152-million-juul-preying> (last accessed Jun. 5, 2023) (\$15.2 million, “the largest litigated settlement the DC Office of the Attorney General (OAG) has secured under the Consumer Protection Procedures Act in District history...”)
- For the IL settlement, see *Attorney General Raoul Announces \$462 million Settlement with E-Cigarette Manufacturer JUUL Labs*, ILLINOIS ATTORNEY GENERAL (Apr. 12, 2023), <https://illinoisattorneygeneral.gov/news/story/attorney-general-raoul-announces-462-million-settlement-with-e-cigarette-manufacturer-juul-labs> (last accessed Jun. 5, 2023) (\$67.6 million).
- For the MA settlement, see *AG’s Office Reaches \$462M Multistate Settlement with JUUL, Secures \$41M for Massachusetts*, MASSACHUSETTS ATTORNEY GENERAL (Apr. 12, 2023), <https://www.mass.gov/news/ags-office-reaches-462m->

[multistate-settlement-with-juul-secures-41m-for-massachusetts](#) (last accessed Jun. 5, 2023) (\$41 million).

- For the NM settlement, see *Attorney General Raúl Torrez Reaches Settlement with JUUL Labs Inc. for their Unlawful Advertising Practices Targeting New Mexico Youth*, NEW MEXICO ATTORNEY GENERAL (Apr. 8, 2023), <https://www.nmag.gov/attorney-general-raul-torrez-reaches-settlement-with-juul-labs-inc-for-their-unlawful-advertising-practices-targeting-new-mexico-youth/> (last accessed Jun. 5, 2023) (\$17.1 million).
- For the CO settlement, see *Colorado to receive \$31.7 million from nationwide settlement with e-cigarette manufacturer Juul*, COLORADO ATTORNEY GENERAL (Apr. 12, 2023), <https://coag.gov/press-releases/colorado-to-receive-31-7-million-from-nationwide-settlement-with-e-cigarette-manufacturer-juul/> (last accessed Jul. 13, 2023) (\$31.7 million).
- **April 17, 2023:** JUUL and Altria reach settlement with Minnesota for \$60.5 million
  - *Minnesota settles historic e-cigarette lawsuit with JUUL and Altria*, OFFICE OF MINNESOTA ATTORNEY GENERAL (Apr. 17, 2023), [https://www.ag.state.mn.us/Office/Communications/2023/04/17\\_JUUL.asp](https://www.ag.state.mn.us/Office/Communications/2023/04/17_JUUL.asp) (last accessed Jun. 5, 2023).
- **July 2023:** As of July 2023, “Juul Labs [has] faced over 5,000 lawsuits, with most alleging the company engaged in deceptive marketing or failed to warn about the risks of its product.”
  - Christy Bieber & Mike Cetera, *JUUL Lawsuit Update July 2023*, FORBES ADVISOR (last updated May 22, 2023), <https://www.forbes.com/advisor/legal/product-liability/juul-lawsuit-update/> (last accessed Jul. 13, 2023).

## **EXHIBIT 2**

## JUUL Timeline Overview:

- 2016: Surgeon General [issues](#) report on e-cigarette use among youth
- June 16, 2017: CDC [issues](#) report on tobacco use among middle and high school students
- July 27, 2017: FDA [announces](#) comprehensive regulatory plan for cigars and e-cigarettes
- July 28, 2017: FDA Commissioner Gottlieb [gives remarks](#) on new regulatory plan
- 2018: National Academies for Science, Engineering, and Medicine [issues](#) consensus study report on the public health consequences of e-cigarette use
- March 27, 2018: American Academy for Pediatrics [sues](#) FDA to expedite review of e-cigarettes
- April 23, 2018:
  - FDA [announces](#) new five-pronged regulatory steps for e-cigarettes
  - FDA [sends letter](#) to JUUL requesting information and threatening penalties for noncompliance
- **April 26, 2018: Colgate sues JUUL**
- July 24, 2018: Massachusetts [launches investigation](#) into JUUL
- October 15, 2018: North Carolina [launches investigation](#) into JUUL
- December 20, 2018: Altria [announces](#) \$12.8 billion investment in JUUL
- August 30, 2019: CDC [announces](#) investigation into respiratory illness with e-cigarettes
- September 11, 2019: news sources reported that regulators preparing ban on flavors
- September 19, 2019: FDA [sends warning letter](#) to JUUL
- September 23, 2019: WSJ [reports](#) that federal prosecutors are conducting a criminal probe of JUUL
- September 25, 2019: Phillip Morris [terminates](#) merger talks with Altria over JUUL exposure
- September 26, 2019: KQED [reports](#) that San Joaquin County DA is investigating JUUL
- October 1, 2019: India [attacks](#) JUUL
- **October 2, 2019: Transfer order issues**
- October 2, 2019: Altria shareholder [suit filed](#), *Klein* (E.D.N.Y.), transferred Feb. 7, 2020
- November 18, 2019: California [sues](#) JUUL
- November 19, 2019: New York [sues](#) JUUL
- November 26, 2019: DC [sues](#) JUUL
- December 4, 2019: Minnesota [sues](#) JUUL

- December 12, 2019: Illinois [sues](#) JUUL
- January 7, 2020: Arizona [sues](#) JUUL
- February 10, 2020: Pennsylvania [sues](#) JUUL
- February 12, 2020: Massachusetts [sues](#) JUUL
- February 24, 2020: Connecticut, Texas, Oregon et al. [launch bipartisan multistate investigation](#) into JUUL
- **March 11, 2020: Class Counsel file consolidated class action complaint**
- May 8, 2020: New Mexico [sues](#) JUUL
- **June 18, 2020: Class Counsel file first amended class action complaint**
- July 7, 2020: Colorado [sues](#) JUUL
- September 2, 2020: Washington [sues](#) JUUL
- October 1, 2020: first Altria derivative suit [filed](#) (stayed pending MTD in *Klein*)
- **February 2, 2021: Class Counsel file second amended class action complaint**
- March 12, 2021: Judge Novak [denied](#) MTD in Altria *Klein* shareholder suit
- **April 28, 2021: Class Counsel file motion for class certification**
- June 28, 2021: North Carolina and JUUL [agree to settle](#)
- November 16, 2021: North Carolina [announces a statewide investigation into e-cigarettes and sues](#) JUUL's founders
- September 20, 2021: JUUL consents to settlement with Arizona
- November 23, 2021: Arizona [consents to settlement](#) with JUUL
- December 9, 2021: settlement [reached](#) in Altria *Klein* shareholder suit
- March 31, 2022: final approval granted Altria *Klein* shareholder suit
- April 12, 2022: Washington-JUUL settlement [approved](#)
- **June 28, 2022: Judge Orrick grants Class Counsel's motion for class certification**
- August 15, 2022: settlement [reached](#) in Altria derivative suit and [rejected](#) on August 25
- September 6, 2022: JUUL [reaches settlement in principle](#) with 33 states and Puerto Rico
- October 18, 2022: amended settlement [reached](#) in Altria derivative suit; PAO [granted](#)
- December 9, 2022: JUUL [reaches settlement in principle](#) to resolve personal injury and school vaping MDL in N.D. Cal.
- December 12, 2022: JUUL [reaches settlement](#) with Pennsylvania
- December 30, 2022: objection to Altria derivative settlement filed
- **January 1, 2023: Judge Orrick preliminary approves class action settlement**



- January 20, 2023: Personal injury and school vaping MDL settlement [preliminarily approved](#)
- January 20, 2023: Judge Novak sustains objection to Altria derivative; objectors resolve objection on February 13
- February 20, 2023: final approval [granted](#) Altria in derivative
- March 10, 2023: JUUL [reaches settlement](#) with Chicago
- April 10, 2023: JUUL [reaches settlement](#) with West Virginia
- April 11, 2023: JUUL [reaches settlement](#) with CA, NY, DC, IL, MA, NM, and CO
- April 17, 2023: JUUL [reaches settlement in principle](#) with Minnesota

## **EXHIBIT 3**

Name	Firm	Position	Notes
Neil D. Overholtz	Aylstock, Witkin, Kreis, Overholtz PLLC	Steering committee	
Scott Powell	Hare, Wynn, Newell & Newton LLP	Lead counsel/steering committee	
E. Michelle Drake	Berger Montague	Steering committee	Appointed to steering committee
Bonny E. Sweeney	Hausfeld LLP	Lead counsel/steering committee	
Leslie LaMacchia	Pulaski Law Firm	Steering committee	Appointed to plaintiffs' federal/state court liason counsel
Rachel Abrams	Levin Simes Abrams LLP	Steering committee	Appointed to steering committee
Dena Sharp	Girard Sharp LLP	Lead/co-lead counsel/steering committee	Appointed to Co-lead counsel
Erin Dickinson	Crueger Dickinson LLC	Steering committee	Appointed to steering committee
Scott P. Schlesinger	Schlesinger Law Offices, PA	Steering committee	
Esfand Nafisi	Migliaccio & Rathod LLP	Co-lead counsel	Appointed to steering committee
Ariana Tadler	Tadler Law LLP	Steering committee/special discovery liason counsel	
Geoffrey Strommer	Hobbs, Straus, Dean & Walker, LLP	Tribal leadership committee	
Sarah London	Lieff Cabraser Heimann & Bernstein, LLP	Co-lead counsel/liason counsel	Appointed to co-lead counsel
Adam Gurtride	Guttride Safier	Co-lead counsel	Appointed to steering committee
Michael London	Douglas & London	Co-lead counsel	
Matt Schultz	Levin Papantonio	Executive committee	Appointed to steering committee
Ellen Relkin	Weitz and Luxenberg	Executive committee	Appointed to co-lead counsel
Joseph VanZandt	Beasley Allen	Executive committee	Appointed to steering committee
Emily Jeffcott	Morgan & Morgan	Executive committee	Appointed to steering committee
Brad Honnold	Goza & Honnold	Executive committee	Appointed to steering committee
Dean Kawamoto	Keller Rohrback	Executive committee	Appointed to co-lead counsel
Stacey Slaughter	Robins Kaplan	Executive committee	
Tom Cartmell	Wagstaff & Cartmell	Executive committee	Appointed to plaintiff's government entity liason counsel
Christopher Gold	Robbins Geller	Executive committee	
Mikal Watts	Watts Guerra	Steering committee	Appointed to steering committee
Michael Weinkowitz	Levin Sedran	Steering committee	Appointed to steering committee
Kristine Kraft	Schlichter Bogard	Steering committee	Appointed to steering committee
Khaldoun Baghdadi	Walkup Melodia	Steering committee	Appointed to plaintiffs' federal/state court liason counsel
Tracy Finken	Anapol Weiss	Steering committee	
Linda Nussbaum	Nussbaum Law	Steering committee	
Sabita Soneji	Tycko & Zavareii, LLP	Executive committee/steering committee	Appointed to steering committee
Seth Lesser	Klafter, Olsen & Lesser LLP	Lead counsel/steering committee	
Rand Nolan	Flemming, Nolen & Jez, LLP	Steering committee/putative subclass counsel	
Kimberly Mays	Frazer PLC	Steering committee/any other role	
Nicholas Farnolo	Napoli Shkolnik PLLC	Steering committee	
Thomas Zimmerman, Jr.	Zimmerman Law Offices, PC	Steering committee	
Jonathan R. Gdanski	Schlesinger Law Offices, PA	Steering committee/executive committee	Appointed to steering committee
Matthew McCarley	Fears Nachawati	Lead counsel/steering committee	
Gale Pearson	Fears Nachawati	Lead counsel/steering committee	
Majed Nachawati	Fears Nachawati	Lead counsel/steering committee	
Misty Farris	Fears Nachawati	Lead counsel/steering committee	
S. Ann Saucer	Fears Nachawati	Lead counsel/steering committee	
Jonathan Novak	Fears Nachawati	Lead counsel/steering committee	
Jason Rathod	Migliaccio & Rathod LLP	Steering committee	
Mark Gottlieb	Public Health Advocacy Institute	Steering committee	
Andrew Rainer	Public Health Advocacy Institute	Steering committee	
Domenic Sanginiti	Stark & Stark	Steering committee	

<b>Key</b>	
Appointed to a leadership position	

## **EXHIBIT 4**

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**  
Washington, D.C. 20549

**FORM 8-K**

**CURRENT REPORT**

Pursuant to Section 13 or 15(d) of  
The Securities Exchange Act of 1934

Date of Report (Date of earliest event reported): May 10, 2023

**ALTRIA GROUP, INC.**

(Exact name of registrant as specified in its charter)

**Virginia**  
(State or other jurisdiction  
of incorporation)

**1-08940**  
(Commission File Number)

**13-3260245**  
(I.R.S. Employer  
Identification No.)

**6601 West Broad Street,**  
(Address of principal executive  
offices)

**Richmond, Virginia**

**23230**  
(Zip Code)

Registrant's telephone number, including area code: (804) 274-2200

(Former name or former address, if changed since last report.)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- ☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- ☐ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- ☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- ☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Securities registered pursuant to Section 12(b) of the Act:

Title of each class	Trading Symbols	Name of each exchange on which registered
Common Stock, \$0.33 1/3 par value	MO	New York Stock Exchange
1.700% Notes due 2025	MO25	New York Stock Exchange
2.200% Notes due 2027	MO27	New York Stock Exchange
3.125% Notes due 2031	MO31	New York Stock Exchange

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

Emerging growth company ☐

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act. ☐

**Item 7.01. Regulation FD Disclosure.**

On May 10, 2023, Altria Group, Inc. (“Altria,” “we,” “our” and “us”) issued a press release announcing that we have agreed to resolve certain e-vapor litigation related to JUUL Labs, Inc. (“JUUL”).

A copy of the press release is furnished as Exhibit 99.1 and incorporated by reference in this Current Report on Form 8-K. The information in this Item 7.01 of this Current Report on Form 8-K, including Exhibit 99.1, is being furnished to the Securities and Exchange Commission and shall not be deemed “filed” for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the “Exchange Act”), or otherwise subject to the liabilities of that section. This information shall not be incorporated by reference in any filing under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference to such filing.

**Item 8.01. Other Events.**

On May 10, 2023, Altria entered into a term sheet pursuant to which, among other things, we agreed to settle at least 6,000 JUUL-related cases for an aggregate amount of \$235 million, including attorneys’ fees. The cases include approximately 50 economic class actions, approximately 4,500 personal injury actions, approximately 1,500 government entity actions, including approximately 1,400 school district cases, and 750 cases in a related state court consolidated proceeding. The settlement remains subject to the parties entering into one or more final settlement agreements (“Settlement Agreements”) approved by the relevant courts.

This Current Report on Form 8-K contains certain forward-looking statements with respect to the Settlement Agreements, which are subject to various risks and uncertainties and are made pursuant to the Safe Harbor Provisions of the Private Securities Litigation Reform Act of 1995. These forward-looking statements relate to, among other things, the finality of the Settlement Agreements. Factors that may cause actual results to differ include failure by the parties to reach agreement on the final terms of the Settlement Agreements, failure of the relevant courts to grant final approval of the Settlement Agreements and additional legal proceedings instituted against us. Other risk factors are detailed from time to time in Altria’s publicly filed reports, including our Annual Report on Form 10-K for the year ended December 31, 2022 and our Quarterly Reports on Form 10-Q. These forward-looking statements speak only as of the date of this Current Report on Form 8-K. We assume no obligation to provide any revisions to, or update, any projections and forward-looking statements contained in this Current Report on Form 8-K.

**Item 9.01. Financial Statements and Exhibits.****(d) Exhibits**

99.1	<a href="#"><u>Altria Group, Inc. Press Release, dated May 10, 2023 (furnished under Item 7.01)</u></a>
104	The cover page from this Current Report on Form 8-K, formatted in Inline XBRL (included as Exhibit 101)

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

ALTRIA GROUP, INC.

By: /s/ W. HILDEBRANDT SURGNER, JR.  
Name: W. Hildebrandt Surgner, Jr.  
Title: Vice President, Corporate Secretary and  
Associate General Counsel

DATE: May 10, 2023



## Altria Announces Agreement to Resolve Vast Majority of JUUL-Related State and Federal Litigation

- Once final, the settlement involves at least 6,000 pending e-vapor cases related to JUUL Labs, Inc. (“JUUL”)

RICHMOND, Va. - May 10, 2023 - Altria Group, Inc. (Altria) (NYSE:MO) announces that we have reached agreement on terms to resolve at least 6,000 JUUL-related state and federal cases for \$235 million.

“While we continue to believe the claims against us are meritless, we believe this settlement avoids the uncertainty and expense of a protracted legal process and is in the best interest of our shareholders,” said Murray Garnick, Altria’s Executive Vice President and General Counsel. “This settlement brings to a close the vast majority of our pending JUUL-related litigation.”

In October 2019, the U.S. Judicial Panel on Multidistrict Litigation ordered the coordination or consolidation of federal individual and class action lawsuits related to JUUL in the U.S. District Court for the Northern District of California for pretrial purposes. These cases include approximately 50 economic class actions, approximately 4,500 personal injury actions and approximately 1,500 government entity actions, including approximately 1,400 school district cases. These cases are covered by the agreement as well as cases in a related state court consolidated proceeding involving 750 cases.

This settlement does not apply to three cases brought by attorneys general, 35 cases brought by Native American tribes, 17 antitrust cases or three Canadian cases.

The settlement remains subject to the parties entering into one or more final settlement agreements (“Settlement Agreements”) approved by the relevant courts.

We expect to record a pre-tax charge of \$235 million in the second quarter of 2023 and intend to treat such amount as a special item and exclude it from our adjusted diluted earnings per share.

### Altria’s Profile

We have a leading portfolio of tobacco products for U.S. tobacco consumers age 21+. Our Vision is to responsibly lead the transition of adult smokers to a smoke-free future (Vision). We are *Moving Beyond Smoking*<sup>™</sup>, leading the way in moving adult smokers away from cigarettes by taking action to transition millions to potentially less harmful choices - believing it is a substantial opportunity for adult tobacco consumers, our businesses and society.

Our wholly owned subsidiaries include leading manufacturers of both combustible and smoke-free products. In combustibles, we own Philip Morris USA Inc. (PM USA), the most profitable U.S. cigarette manufacturer, and John Middleton Co. (Middleton), a leading U.S. cigar manufacturer. Our smoke-free

6601 West Broad Street, Richmond, VA 23230

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portfolio includes ownership of U.S. Smokeless Tobacco Company LLC (USSTC), the leading global moist smokeless tobacco (MST) manufacturer, and Helix Innovations LLC (Helix), a leading manufacturer of oral nicotine pouches.

Additionally, we have a majority-owned joint venture, Horizon Innovations LLC (Horizon), for the U.S. marketing and commercialization of heated tobacco stick products and, through a separate agreement, we have the exclusive U.S. commercialization rights to the *IQOS Tobacco Heating System*® and *Marlboro HeatSticks*® through April 2024.

Our equity investments include Anheuser-Busch InBev SA/NV (ABI), the world's largest brewer, and Cronos Group Inc. (Cronos), a leading Canadian cannabinoid company.

The brand portfolios of our tobacco operating companies include *Marlboro*®, *Black & Mild*®, *Copenhagen*®, *Skoal*® and *on!*®. Trademarks and service marks related to Altria referenced in this release are the property of Altria or its subsidiaries or are used with permission.

Learn more about Altria at [www.altria.com](http://www.altria.com) and follow us on Twitter, Facebook and LinkedIn.

### **Forward-Looking and Cautionary Statements**

This release contains certain forward-looking statements with respect to the Settlement Agreements, which are subject to various risks and uncertainties and are made pursuant to the Safe Harbor Provisions of the Private Securities Litigation Reform Act of 1995. These forward-looking statements relate to, among other things, the finality of the Settlement Agreements. Factors that may cause actual results to differ include failure by the parties to reach agreement on the final terms of the Settlement Agreements, failure of the relevant courts to grant final approval of the Settlement Agreements and additional legal proceedings instituted against us. Other risk factors are detailed from time to time in our publicly filed reports, including our Annual Report on Form 10-K for the year ended December 31, 2022 and our Quarterly Reports on Form 10-Q. These forward-looking statements speak only as of the date of this press release. We assume no obligation to provide any revisions to, or update, any projections and forward-looking statements contained in this release.

Source: Altria Group, Inc.  
Mac Livingston, Vice President of Investor Relations  
[Richard.M.Livingston@altria.com](mailto:Richard.M.Livingston@altria.com)

Altria Client Services  
Investor Relations  
804-484-8222

Altria Client Services  
Media Relations  
804-484-8897

## **EXHIBIT 5**

REPORT	HOURS	AMOUNT	PERIOD	DATE	EXPENSES	RESIDUAL (Y/N)
1	25,313.60	\$ 14,682,504.05	11/14/19 through 4/30/20	2/12/2021	\$1,790,923.28	
2	26,499.90	\$ 13,352,585.10	5/1/20 through 8/31/20	4/12/2021	\$ 267,136.46	
2.1	415.00	\$ 200,864.70	11/14/19 through 4/30/20	4/14/2021	\$ 3,588.13	Y
3	23,316	\$ 11,225,369.20	9/1/20 through 12/31/20	7/12/2021	\$ 31,349.83	
3	0.00	\$ -	5/1/20 through 8/31/20	7/12/2021	\$ 3,755.13	Y
4	111,346.50	<b>\$ 55,943,487.70</b>	1/1/2021 through 8/31/21	1/18/2022	\$ 1,854,560.14	
4	1,493.10	Unclear	Unclear	1/18/2022	<b>\$ 195,351.07</b>	Y
5	47,614.00	\$ 24,268,999.20	9/1/21 through 12/31/21	5/2/2022	\$ 2,188,006.01	
5	5,865.10	\$ 3,854,924.50	Unclear	5/2/2022	\$ 712,165.18	Y
6	<b>57,102.10</b>	Unclear	1/1/22 through 7/31/22	10/13/2022	<b>\$ 3,980,062.29</b>	
7	33,221.50	\$ 20,846,860.50	8/1/22 through 1/31/2023	5/12/2023	\$2,732,621.33	
7	1425	\$ 801,887.30	11/2019 through 7/2022	5/12/2023	\$ 2,339,856.71	Y
7	1491.5	\$ 958,157.50	11/2019 through 7/2022	5/12/2023	\$ 355,124.50	Y
7	13,876.90	\$ 9,860,877.70	5/2018 through 11/2019	5/12/2023	\$ 198,951.76	Y
<b>TOTAL</b>	<b>348,980.00</b>	<b>\$ 155,996,517.45</b>			<b>\$16,653,451.82</b>	

**KEY****RED** Includes additional residual hours**GREEN** Estimated by Objector Stephens (i.e., not spelled out by Special Master)**BLUE** Class C'ounsel's representations differ from Special Master's findings without apparent explanation